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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,844	02/25/2002	Stephen E. Terry	I-2-0160.2US	8107
24374 7590 11/09/2007 VOLPE AND KOENIG, P.C. DEPT. ICC UNITED PLAZA, SUITE 1600 30 SOUTH 17TH STREET PHILADELPHIA, PA 19103			EXAMINER NG, CHRISTINE Y	
			ART UNIT 2616	PAPER NUMBER
			MAIL DATE 11/09/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/082,844

Applicant(s)

TERRY, STEPHEN E.

Examiner

Christine Ng

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,872,820 to Upadrasta.

Referring to claim 1, Upadrasta discloses a method of using a mobile terminal (MT) (Figure 1, mobile stations 110 and 130) for synchronizing uplink signals in a communication system which supports base station (BS) / mobile terminal (MT) wireless bi-directional communications via the utilization of a time frame format (TDMA) having sequentially identified system time frames. Refer to Column 2, lines 46-67. The method comprises:

Receiving communication data from a BS (Figure 1, BSS 100) within system time frames including a TA signal (Figure 4, SCB 412,422) which include TA data (TEMP: current value of MFN counter that began at FN1, as specified by the SCB in step 500-535) and a Connect Frame Number (CFN) (FN2: as specified by the SCB in steps 540-545) specifying a specific frame for effectuating a timing adjustment.

Adjusting (Figure 5, steps 550-555) the timing of uplink transmissions of the MT in response to TA data in the received TA signal commencing in the time frame specified in the CFN of the received TA signal. The controller 220 and DSP 240 of a mobile station extracts a first frame number FN1 from a first SCB signal. After receiving a second SCB signal, the controller 220 and DSP 240 reads the current value of the MFN counter and stores it as TEMP, and then decodes a second message frame number FN2. The controller 220 and DSP 240 then calculate the time lag as  $FN2 - TEMP$ , and adds the time lag to the mobile frame number counter. From then on, the base station assigned message frame numbers and the mobile frame numbers will be perfectly synchronized. For example, in Figure 6, the controller calculates the difference between the received second message frame number ( $FN2 = 10$ ) and the stored MFN ( $TEMP = 8$ ), which is "2", and adds this value to the current frame number value "10" to synchronize the frame values. Refer to Column 3, lines 10-45; and Column 4, line 45 to Column 6, line 37.

Referring to claim 2, Oksala discloses a mobile terminal (MT) (Figure 1, mobile stations 110 and 130) for a communication system which supports base station (BS) / mobile terminal (MT) wireless bi-directional communications via the utilization of a time frame format (TDMA) having sequentially identified system time frames where BSs transmit selectively formatted communication data to MTs within system time frames. Refer to Column 2, lines 46-67. The mobile terminal (MT) comprises:

A receiver, a transmitter and an associated processor.

Said receiver (Figure 2, radio interface 260) configured to receive communication data from a BS (Figure 1, BSS 100) within system time frames including timing advance TA signals which include TA data and a Connect Frame Number (CFN) specifying a specific frame for effectuating a timing adjustment by the selected MT.

Said transmitter (Figure 2, radio interface 260) configured to transmit selectively formatted communication data to a BS within system time frames synchronized by said processor.

Said MT processor (controller 220 and DSP 240) configured to adjust the timing of the transmissions of said MT processor in response to TA data in a received TA signal commencing in the time frame specified in the CFN of the received TA signal. Refer to the rejection of claim 1.

### ***Conclusion***

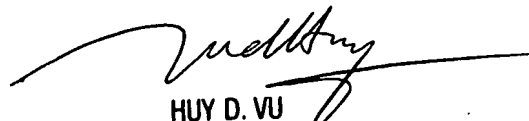
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christine Ng whose telephone number is (571) 272-3124. The examiner can normally be reached on M-F; 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

C. Ng *W*  
October 30, 2007

  
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SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600